THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.22979 OF 2006

ORAL ORDER:

The petitioner claims to be the owner of an Auto bearing registration No.AP-36-W-5292, which was seized in connection with an offence under the A.P. Excise Act, 1968. Admittedly, confiscation proceedings are pending before the Deputy Commissioner of Prohibition and Excise, Warangal-2nd respondent herein. On a request made by the petitioner for interim custody, orders were passed by the 2nd respondent, granting interim custody, subject to the condition that the petitioner furnishes FDR for Rs.70,000/-. The said order dated 19.10.2006 is under challenge in this writ petition contending *inter alia*, that the condition imposed by the 2nd respondent is onerous and unreasonable.

Having heard the learned counsel for the petitioner and the learned Government Pleader for Prohibition & Excise, I do not find any justifiable reason to interfere with the impugned order. The discretion exercised by the competent authority imposing the impugned condition can neither be held to be perverse nor in contravention of any statutory provision.

Accordingly, the writ petition is dismissed. However, the 2nd respondent is directed to complete the enquiry pending on his file expeditiously, and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

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(G. ROHINI, J.)

1st December, 2006.
Issue CC by tomorrow.
Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No. 22979 OF 2006

1st December, 2006.

Between:

Engoli Babu Rao. .. Petitioner.

And

The Commissioner, Prohibition and Excise,
Government of A.P., Nampally,
Hyderabad and another. .. Respondents.